

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOSE L. FRANCE-BEY,

Plaintiff,

v.

KENNY HOLBROOK,

Defendant.

)
)
)
)
)
)
)
)
)
)

1:17CV241

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and on September 14, 2017, was served on the parties in this action. (ECF Nos. 32, 33.) No objections were filed within the time prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Motion to Dismiss (ECF No. 14) is hereby DENIED.

This, the 17th day of October, 2017.

/s/ Loretta C. Biggs

United States District Judge